

**Amendments to the Claims**

This listing of claims replaces all prior versions and listings of claims:

**Listing of Claims:**

1. (Currently amended) A color image communication device comprising:  
means for transmitting by facsimile, image data of a sYCC-Joint Photographic Experts Group (JPEG) color space; and  
means for controlling a non-electronic mail facsimile transmission of the image data of the sYCC-JPEG color space without setting size information in a non-electronic mail facsimile communication protocol when the image data to be transmitted by facsimile is the image data of the sYCC-JPEG color space.
2. (Original) The color image communication device according to claim 1, wherein when the image data to be transmitted by facsimile is image data of the sYCC-JPEG color space, the means for controlling controls a facsimile transmission of the sYCC-JPEG color space without setting size information in a Digital Command Signal (DCS) of the facsimile communication protocol.
3. (Original) The color image communication device according to claim 1, wherein when the image data to be transmitted by facsimile is image data of the sYCC-JPEG color space, the means for controlling controls a facsimile transmission of a file of the image data of the sYCC-JPEG color space under a format in which function information is attached in the file, without setting size information in the facsimile communication protocol.
4. (Original) The color image communication device according to claim 3, wherein the function information includes information indicating a fact that the image data included in the file to be transmitted is an image from a digital camera.
5. (Original) The color image communication device according to claim 3, wherein the function information includes information indicating a number of pixels of the image data.
6. (Currently amended) A color image communication device comprising:

means for transmitting color image data of a first color space in accordance with a non-electronic mail facsimile communication protocol;

means for transmitting color image data of a second color space in accordance with the non-electronic mail facsimile communication protocol; and

means for controlling a facsimile transmission of color image data by setting size information in the non-electronic mail facsimile communication protocol when the color image data is the color image data of the first color space, and to carry out a non-electronic mail facsimile transmission of the color image data without setting the size information in the non-electronic mail facsimile communication protocol when the color image data is the color image data of the second color space.

7. (Original) The color image communication device according to claim 6, wherein in case of the color image data of the first color space, the means for controlling controls a facsimile transmission of the color image data by setting the size information in a Digital Command Signal (DCS) of the facsimile communication protocol, and in case of the color image data of the second color space, the means for controlling controls a facsimile transmission of the color image data without setting the size information in a DCS signal of a facsimile communication protocol.

8. (Original) The color image communication device according to claim 6, wherein in case of the color image data of the second color space, the means for controlling controls a facsimile transmission of a file of the color image data under a format in which function information is attached in the file, without setting the size information in the facsimile communication protocol.

9. (Original) The color image communication device according to claim 8, wherein the function information includes information indicating a fact that the image data included in the file to be transmitted is an image from a digital camera.

10. (Original) The color image communication device according to claim 8, wherein the function information includes information indicating a number of pixels of the image data.

11. (Original) The color image communication device according to claim 6, wherein image data of a sYCC-Joint Photographic Experts Group (JPEG) color space is included as the color image data of the second color space.

12. (Original) The color image communication device according to claim 6, wherein image data of a CIELAB color space is included as the color image data of the first color space.

13. (Currently amended) A color image communication method comprising:  
determining whether or not color image data to be transmitted is image data of a sYCC-Joint Photographic Experts Group (JPEG) color space, prior to a facsimile transmission of the color image data; and

transmitting image data of the sYCC-JPEG color space by non-electronic mail facsimile without setting size information in a non-electronic mail facsimile communication protocol when the color image data to be transmitted is image data of the sYCC-JPEG color space.

14. (Original) The color image communication method according to claim 13, wherein when the color image data to be transmitted is image data of the sYCC-JPEG color space, the image data of the sYCC-JPEG color space is transmitted by facsimile without setting the size information in a Digital Command Signal (DCS) of the facsimile communication protocol.

15. (Original) The color image communication method according to claim 13, wherein when the color image data to be transmitted is image data of the sYCC-JPEG color space, a file of the image data of the sYCC-JPEG color space is transmitted by facsimile under a format in which function information is attached in the file, without setting the size information in the facsimile communication protocol.

16. (Original) The color image communication method according to claim 15, wherein the function information includes information indicating a fact that the image data included in the file to be transmitted is an image from a digital camera.

17. (Original) The color image communication method according to claim 15, wherein the function information includes information indicating a number of pixels of the image data.

18. (Currently amended) A color image communication method comprising:

determining whether or not color image data to be transmitted is image data of a sYCC-Joint Photographic Experts Group (JPEG) color space, prior to a facsimile transmission of the color image data; and

transmitting image data of the sYCC-JPEG color space by non-electronic mail facsimile without setting size information in a non-electronic mail facsimile communication protocol when the color image data to be transmitted is the image data of the sYCC-JPEG color space, and transmitting image data of a color space other than the sYCC-JPEG color space by non-electronic mail facsimile by setting size information in the non-electronic mail facsimile communication protocol when the color image data to be transmitted is not the sYCC-JPEG color space.

19-22. (Canceled)

23. (Currently amended) A color image communication device comprising:

a transmission unit which carries out a facsimile transmission of image data of a sYCC-Joint Photographic Experts Group (JPEG) color space; and

a control unit which controls a non-electronic mail facsimile transmission of the image data of the sYCC-JPEG color space without setting size information in a non-electronic mail facsimile communication protocol when the image data to be transmitted by non-electronic mail facsimile is the image data of the sYCC-JPEG color space.